

Application No. : 10/763,216
Filing Date : January 26, 2004
Office Action Date : December 12, 2006

REMARKS/ARGUMENTS

The foregoing amendments and the following remarks are responsive to the December 12, 2006 Final Office Action for the above-identified patent application. This paper is being submitted with *Request for Continued Examination* (RCE).

Claims 1-7 were previously in this application. Claim 5 is amended herein. Claims 1-4, 6 and 7 remain as previously presented. Thus, Claims 1-7 are presented herein for further consideration.

Response to rejection of Claims 1-3 and 5-7 under 35 U.S.C. § 102(b)

The Examiner rejects Claims 1-3 and 5-7 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,682,429 to Cordery et al. ("Cordery").

Claim 1 is patentably distinguished over Cordery

With respect to Claim 1, the Examiner states that:

Cordery teaches a method for automatically generating current distribution order data with the inclusion of central address directories (data center 910), which are stored in databases and are transmitted by electronic data transfer, as distribution order data.

Applicant respectfully disagrees with the Examiner's initial statement. As discussed in response to the previous Office Action, Cordery does not provide any teaching whatsoever regarding the generation of distribution order data. The citation of the data center 910 in Figure 9 in support of the inclusion of central address directories is not relevant to the patentability of Claim 1 since the claimed invention is directed to a method for keeping distribution order data up to date at a local level. As discussed in the specification, Applicant's invention is able to implement local changes immediately in response to changes of addresses and in response to changes in the availability of the delivery personnel. Changes of address in a central data center such as described in Cordery are not effective if the item to be delivered is already at the local delivery section with incorrect address data, for example, or if the central data center dictates a

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delivery order which cannot be accommodated by the local delivery section when the item arrives at the delivery section.

Further with respect to Claim 1, the Examiner states that Cordery teaches:

'locally copying a current central address directory or parts relating to a relevant area' as a change of address database (fig. 4, 410 and describing paragraphs).

Applicant respectfully disagrees with the Examiner's characterization of the data storage device 410 of Figure 4 and the corresponding description of the elements of Figure 4. As described in column 7 at lines 7-23, Figure 4 describes a "data center." Cordery's data center communicates with the Post Office and with a mailer. The maintenance of a single data "center" that stores the postal address database and a national change of address database teaches away from Applicant's claimed system in which the current central address directory or parts relating to a relevant area are copied locally. Cordery does not teach that any portion of the central database is copied locally to be used to generate distribution order data.

Further with respect to Claim 1, the Examiner states that Cordery teaches:

'locally storing change instructions regarding a relative positional change for delivery points in the distribution order for a previous version of the central address directory or of the parts' as a postal request file (col. 8 line 51-67 and fig. 6-7).

Applicant respectfully disagrees with the Examiner's characterization of Figures 6 and 7 and the Examiner's characterization of the corresponding description of the two figures in the cited paragraph. The cited paragraph does not disclose or suggest the local storage of change instructions and does not disclose or suggest the positional

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change of delivery points. Rather, the cited paragraph discusses parameters that may be switched to respective active states or inactive states by the mailer before sending a mailing list to the data center. If an address hygiene parameter is not set for a mail piece, the data center is not allowed to check the address on the mail piece for correctness before generating a digital token for the postage. If the address hygiene parameter is set, a second parameter is set to an active state or an inactive state to instruct the data center whether to correct the address before generating the digital token or whether to use the uncorrected address but warn the mailer of the incorrect address.

The described feature of Cordery is performed at the data center, not locally. Furthermore, the described feature of Cordery relates to the generation of a digital postage token for each address in a mailing list submitted to the data center. Whether the token is generated depends on whether the address is in accordance with the correct format, whether the address can be corrected to the correct format, or whether the mailer wants the data center to bypass address checking. See, for example, column 4 at lines 23-39 of Cordery:

The mailing list includes recipient address information. This recipient address information may include both correct and incorrect information. The nature of the incorrect information may be incomplete or inaccurate addressee data. For example, as noted below address hygiene may be employed. In such case, a determination that the address on the mailing list does not correspond to an address in the hygiene data base, the recipient addressee information would be deemed incorrect. These databases include a compilation of all address for a given region, area or even an entire country. The United States Postal Service National Address Database is one example of this type of database. It should be recognized that in many instances incorrect address information does not render a mailpiece undeliverable as addressed. For example, a street name may be misspelled or a zip code may be omitted or a "vanity" name or abbreviation may be used for a city.

See, also, column 6 at lines 51-67 of Cordery (cited by the Examiner):

At 602 a determined postage request is initiated and certain particular parameters associated with the process are either switched to an active or inactive state. Specifically, at 602 a determination is made by the user whether address hygiene is to be performed. The address information may not be

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susceptible to address hygiene due to either a lack of appropriate address information or due to mailer's desire to keep due address information in its original uncorrected form. If the address hygiene parameter switch is actuated, a further parameter switch is available to determine whether the system is to use any corrected hygiened address (that is a changed address) as opposed to the original address in generating the digital token to be imprinted on the mailpiece. This parameter switch is utilized so that a user has the option of using the uncorrected address for a particular mailpiece but still be advised of the fact that the address hygiened data base carries with it a different hygiened address.

As discussed in column 9 at lines 39-47, the postage charged for mail pieces with unhygiened addresses may be higher than for mail pieces with hygiened addresses. Thus, it is advantageous for the mailer to utilize addresses in the correct format in a mass mailing and to send the mail pieces with unhygiened addresses separately.

The format of the addresses does not relate to a change of address for a particular mail piece and does not relate to a distribution order. In summary, neither the cited portion of Cordery nor any other portion of Cordery provides any support for the Examiner's statement that Cordery teaches *locally storing change instructions regarding a relative positional change for delivery points in the distribution order for a previous version of the central address directory or of the parts*.

Further with respect to Claim 1, the Examiner states that Cordery teaches:
'transferring the change instructions to the local copy of the current central address directory or parts' (fig. 7A).

Applicant respectfully disagrees with the Examiner's characterization of Figure 7A as supporting this element of Claim 1. Figure 7A is directed to processing activities performed by the data center not by a local distribution center. Furthermore, as discussed above, the address corrections performed in the data center are not related in any manner to a "relative positional change for delivery points." Rather, the address changes relate to the format of the addresses on the mail pieces. If the addresses are corrected to proper format, an encrypted file with the corrected

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addresses for certain mail pieces is transmitted to the mailer. The corrected addresses from the data center do not include any information regarding a relative positional change for a delivery point. Rather, the corrected addresses simply provide the correct format for the addresses that the mailer previously submitted to the data center.

Further with respect to Claim 1, the Examiner states that Cordery teaches:

'performing a check so as to determine whether the change instructions have already been implemented in the current address directory or whether the instructions are yet to be executed' (figure 6 and at least drawing references 706, 710, and 716 of figure 7A).

Applicant respectfully disagrees with the Examiner's characterization of Figure 6 and the cited elements of Figure 7A. Neither drawing figure illustrates a function that determines whether "change instructions have already been implemented" or whether "change instructions are yet to be executed." Figure 7A illustrates the processing performed by the data center as the data center processes the address on each mail piece in order to determine the postage to encode for the particular mail piece. The decision block 706 cited by the Examiner is a conventional decision block found in a processing loop for a sequence of records. The decision block 706 basically determines whether the data center has completed the processing of all the records received in a postal request from a mailer. The postal request is simply a mailing list, which does not include any change instructions. If address hygiene for the current record is requested, the data center performs the address hygiene routine in block 710 by comparing the address in the current record to acceptable addresses. If the address is correct (e.g., the address exactly corresponds to an address in the postal address database), the address as received from the mailer is appended to the postal revenue block (PRB) file in the block 714. Otherwise, if the address was not correct as received, the decision block 716 determines whether the address was corrected by the address hygiene block 710 or whether the address hygiene block 710 was not able to correct the

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address. If the address was not corrected, the record is appended to a bad address file to send to the mailer and no postage token is generated for the uncorrected address. Otherwise, if the address was corrected, the data center adds the corrected address to a corrected address file to send to the mailer. The data center further determines whether to append the corrected address to the PRB file or whether to append the original address to the PRB file.

The lower portion of Figure 6, starting with element 618 describes the activities performed by the mailer in response to the file returned by the data center after generating the postage tokens and generating the address files. As illustrated, if corrections were made by the data center or incorrect addresses were identified as part of the address hygiene process, the mailer optionally accepts the corrected addresses or generates a correct address to update the mailers database.

Neither Figure 6 nor Figure 7A discloses or suggests any activities responsive to change instructions. Rather, as discussed above, the process in Figure 7A identifies addresses that include information inconsistent with information in the Post Office database and either corrects the information and/or notifies the mailer of the incorrect information.

Further with respect to Claim 1, the Examiner states that Cordery teaches:

'storing valid change instructions yet to be executed in an audit file' as a postal request file (col. 8 line 51-67 and fig. 6-7).

Applicant respectfully disagrees with the Examiner's characterization of Figures 6 and 7 and the cited text. As discussed above, Cordery does not disclose or suggest change instructions, valid or otherwise. Furthermore, the postal request file discussed in column 8 at lines 51-67 is generated by the mailer one record at a time by receiving a request for postage for a mail piece, determining whether address hygiene is to be performed on the mail piece, and adding the request for postage to a postal request file to send to the data center. The cited text and the drawing figures do not disclose or

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suggest change instructions, valid or otherwise, and does not disclose of suggest an audit file. There is no basis for the Examiner's characterization of the postal request file of Cordery as an audit file and no basis for the Examiner's characterization of the information stored in the postal request file as valid change instructions.

Further with respect to Claim 1, the Examiner states that Cordery teaches:
'executing the change instructions' (fig. 7A, drawing reference 710)

Applicant respectfully disagrees with the Examiner's characterization of block 710 of Figure 7A as executing the change instructions. As discussed above, the block 710 performs address hygiene by comparing the address format of a particular record in the mailing list (the postal request) from the mailer with the acceptable address format in the Post Office database. If the format is correct, the record is not altered and the address is stored in the postal revenue block (PRB) file. If the format is incorrect, the block 710 corrects the address if it can be corrected. If the address was corrected, the record with the corrected address is added to a corrected address file. Otherwise, the record with the incorrect address is added to the bad address file. The block 710 is not responsive to any change instructions. Rather, the block 710 operates independently to determine whether the address of the current record is in a correct format. If the block 710 determines that the format is incorrect, the block 710 attempts to correct the address to the proper format.

As set forth in the foregoing discussion, there is no basis for the Examiner's rejection of Claim 1 as being anticipated by Cordery. None of the elements of Claim 1 are present in Cordery. Furthermore, as discussed in response to the previous Office Action, Cordery is directed to a system that generates postage for mail pieces that are entering a postal system from a bulk mailer. In contrast, the claimed invention is directed to the implementation of change instructions to control the distribution order of delivery points to assure the correct delivery of mail pieces that are exiting the postal

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system regardless of the sources of the mail pieces. Accordingly, Applicant respectfully submits that Cordery is not relevant to Applicant's claimed invention.

In view of the foregoing remarks, Applicant respectfully submits that Claim 1, as previously presented is patentably distinguished over Cordery. Applicant respectfully requests the Examiner to withdraw the rejection of Claim 1 based on Cordery, and Applicant further requests the Examiner to allow Claim 1.

Claim 7 is patentably distinguished over Cordery

With respect to Claim 7, the Examiner states that Cordery teaches:

'Identifying delivery points according to identification data comprising at least the sorting code' (col. 11 line 50-51).

Claim 7 depends from Claim 1 and further defines Claim 1. In view of the patentability of Claim 1 over Cordery, Applicant respectfully submits that Claim 7 is also patentably distinguished over Cordery for at least this reason.

Applicant further submits that Cordery does not teach or suggest the limitation defined in Claim 7. In particular, in column 11 at lines 50-51, Cordery discusses the sorting of the tokens for various carriers to provide the most suitable service for the mailer.

It should also be recognized that the present system described above maybe integrated with a plurality of different carriers such that in a single communications process tokens can be received and separately sorted for various carriers such as the United States Parcel Service, Federal Express, the United States Postal Service, United Kingdom Royal Mail, DHL and Airborne and the like. Moreover, the data center providing the digital tokens may process the request to identify the most suitable service to meet the requirements of the mailer. This may be based on mailing cost, delivery time, mail or parcel type or size, destination being served, insurance and the like.

The cited text of Cordery does not disclose or suggest identifying delivery points according to identification data that comprises at least the sorting code. Thus, Claim 7 is patentably distinguished over Cordery for at least this additional reason.

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Claim 2 is patentably distinguished over Cordery

With respect to Claim 2, the Examiner states that Cordery teaches:

'the identification data additionally and locally incorporate house number extensions locally' as a delivery point code (col. 9 line 55-59).

Claim 2 depends from Claim 7, which depends from Claim 1. For the reasons set forth above, Claim 7 and Claim 1 are patentably distinguished over Cordery. Thus, Claim 2 is patentably distinguished over Cordery for at least the reasons set forth above.

Claim 3 is patentably distinguished over Cordery

With respect to Claim 3, the Examiner states that Cordery teaches:

'the identification data additionally and locally incorporate distinguishing remarks' as a delivery address modifier (col. 9 line 48-55).

Claim 3 depends from Claim 7, which depends from Claim 1. For the reasons set forth above, Claim 7 and Claim 1 are patentably distinguished over Cordery. Thus, Claim 3 is patentably distinguished over Cordery for at least the reasons set forth above.

The cited text of Cordery does not disclose or suggest distinguishing remarks. Rather, Cordery describes a system of adding a numeric or alphanumeric string associated with the address, wherein the string is derived algorithmically from the data in the delivery address block. In contrast, the distinguishing remarks in Claim 3 refer to local information, such as, for example, "butcher's," which are disclosed in the specification of the present application. Such distinguishing remarks are not part of the conventional address that is placed on the mail piece when it enters the postal system, but are instead added for the benefit of the local deliverer. Applicant respectfully

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submits that Claim 3 is patentably distinguished over Cordery for at least this additional reason.

Claim 5 is patentably distinguished over Cordery

With respect to Claim 5, the Examiner states that Cordery teaches:

'updating the central address directory or address directory parts by transmitting only incremental changes by data transfer (drawing reference 634).

the changes being merged with the previously current and copied address directory or address directory part by using the identification data for each delivery point to check in the previously current address directory or address directory part whether the respective delivery point in the incremental change is already present, and if not, incorporating into the copied address directory or address directory part at the concomitantly transmitted position of the distribution order, and if so, moving the respective delivery point ... to the changed position in the address directory' (figure 6)

Claim 5 is amended herein to clarify that "incorporating" refers to the "respective delivery point."

Claim 5 depends from Claim 7, which depends from Claim 1. For the reasons set forth above, Claim 7 and Claim 1 are patentably distinguished over Cordery. Thus, Claim 5 is patentably distinguished over Cordery for at least the reasons set forth above.

Drawing reference 634 in Figure 6 of Cordery does not support the Examiner's basis for rejecting Claim 5. Block 634 updates the local mailer's address list based on corrections to the address made by the data center. Thus, no "central address directory" is updated in Cordery. Cordery also does not disclose or suggest the transmission of only incremental changes by data transfer. In particular, Cordery

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teaches the transfer of entire mailing lists by data transfer. The local mailer's system must process each record received from the data center, and if the address in the record was not an exact match, the local mailer's system must then determine whether the address was corrected. Figure 6 of Cordery does not disclose or suggest determining whether a delivery point in a proposed change is already present and either incorporating the respective delivery point into the copied address directory or address directory part at the transmitted position of the distribution order or moving the respective delivery point to the changed position in the address directory. Accordingly, Applicant respectfully submits that Claim 5 is patentably distinguished over Cordery for at least these additional reasons.

Claim 6 is patentably distinguished over Cordery.

With respect to Claim 6, the Examiner states that Cordery teaches:

'the move of a delivery point is implemented by deleting said delivery point at the previous position of the address directory and reentering it at the changed position' (drawing reference 634).

Claim 6 depends from Claim 5, which depends from Claim 7, which depends from Claim 1. For the reasons set forth above, Claim 5, Claim 7 and Claim 1 are patentably distinguished over Cordery. Thus, Claim 6 is patentably distinguished over Cordery for at least the reasons set forth above.

Drawing reference 634 in Figure 6 of Cordery does not support the Examiner's basis for rejecting Claim 6. Block 634 updates the local mailer's address list based on corrections to the address made by the data center. The description of block 634 does not disclose or suggest deleting a delivery point at a previous position and reentering the delivery point at a changed position. More particularly, Cordery does not disclose any operation performed on a delivery point with respect to the position of the delivery point. Accordingly, Applicant respectfully submits that Claim 6 is patentably distinguished over Cordery for at least this additional reason.

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Response to rejection of Claim 4 under 35 U.S.C. § 103(a)

The Examiner rejects Claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Cordery in view of US Patent Application Publication No. US 2002/0010658 A1 to Suzuki et al. ("Suzuki"). The Examiner acknowledges that Cordery does not teach the limitation of incorporating distribution advice; however, the Examiner contends that Suzuki teaches:

"Incorporating distribution advice" as delivery instruction data (0054) for instructing the delivery of the merchandise.

The Examiner further states that it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because the distribution advice of Suzuki would have provided Cordery's system with data for instructing the delivery of merchandise (0054).

Applicant respectfully traverses the rejection of Claim 4. Claim 4 depends from Claim 3, which depends from Claim 7, which depends from Claim 1. Claim 4 further defines the invention defined in Claims 3, 7 and 1 as further comprising the steps of incorporating forwarding and/or distribution advice into the copied address directory. As set forth above, Independent Claim 1 and dependent Claims 7 and 3 are patentably distinguished over Cordery. Suzuki does not teach or suggest the limitations missing from Cordery. Applicant respectfully submits that dependent Claim 4 is patentably distinguished over Cordery for at least the reasons set forth above.

As further defined in Claim 4, the method performs a check so as to determine whether the delivery point for the respective forwarding and/or distribution advice exists in the copied current address directory for the distribution order data. If such forwarding and/or distribution advice exists, the method adds new forwarding and/or distribution advice to the copied address directory, with the new forwarding and/or distribution advice having priority over the old forwarding and/or distribution advice of a same type.

The method further incorporates a complete change of data for the forwarding and/or

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distribution advice into the audit file. As discussed above, Cordery does not disclose any aspect of the distribution of mail pieces from the local mail facility to the intended recipient. Thus, Cordery does not teach any aspect of forwarding mail or providing distribution advice regarding mail at the local mail facility.

The Examiner's statement that Suzuki teaches "incorporating distribution advice" as instruction data for instructing the delivery of the merchandise is not relevant to the invention defined in Claim 4. The cited words from Suzuki must be considered in the context of the Suzuki disclosure. In particular, paragraph 0054 of Suzuki states:

[0054] Then, when an order data of the desired merchandise 4 (hereinafter referred to as client order data) is transmitted from the client who saw the merchandise catalog by means of personal computer, the distribution management center 2 transmits a delivery instruction data for instructing the delivery of the merchandise 4 to the delivery company 6 via the Internet 3 based on the client order data.

In the context of Suzuki, the foregoing paragraph is related to instructions for delivery of merchandise to the delivery company. The paragraph has no relation whatsoever to the delivery of mail pieces or any other materials from a local mail distribution facility to the intended recipient. In particular, the paragraph includes no suggestion of checking whether forwarding instructions or other delivery advice exists for a particular address and changing the address directory to reflect the instructions or other advice. Accordingly, for at least this additional reason, dependent Claim 4 is patentably distinguished over the proposed combination of Cordery and Suzuki.

Applicant respectfully requests the Examiner to withdraw the rejection of Claim 4 under 35 U.S.C. § 103(a) and to pass Claim 4 to allowance.

Comments on Examiner's Response to Arguments

In the Final Office Action, the Examiner responds to Applicant's previous arguments with various characterizations of Cordery that are not supported by Cordery. The Examiner contends that the mailing list in Cordery correlates to Applicant's distribution order because the mailing list contains address information. There is no

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basis for this contention. As previously discussed, Cordery discloses a method for preparing address information for mail pieces that are going to be sent from a mailing facility to enter a national postal system such as the US Postal Service. Cordery discloses a data center that receives the list of addresses from a mailer. The data center checks the completeness of the addresses and compares the format of the information in the addresses with addresses found in the Post Office database. The data center generates digital postage for the mail pieces that are to be delivered to the addresses. The data center returns the address list to the mailer along with the digital postage for the conforming addresses. The mailer applies the addresses and the postage to the mail pieces and then submits the mail pieces to the Post Office.

Cordery discloses the initial handling of the mail pieces by the Post Office; however, Cordery does not disclose or suggest how the mail pieces are handled after the mail pieces are delivered to local postal distribution centers. In particular, Cordery does not disclose or suggest a method for sequencing mail pieces from a delivery facility to be delivered by a mail courier (e.g., a US Postal Service letter carrier) or delivery agent to the intended mail recipients. Once the Cordery system has placed the addresses on the mail pieces and the mail pieces have entered the postal system, the Cordery system does not provide any control over the delivery of the mail pieces to the intended recipients. Even if the mail pieces entered the postal system in some order determined by the undisclosed addressing scheme used by the Cordery system, that order would be soon disappear as the mail pieces going to various locations are separated at a number of levels until very few of the mail pieces are likely to go to any particular local distribution center.

In contrast to the Cordery system, which is concerned with accuracy of the addresses and postage on mail pieces entering the postal system, the present application is directed to the efficient and accurate delivery of mail pieces that are exiting the postal system. In particular, the present invention addresses problems that may occur with respect to many of the thousands of mail pieces that arrive at a local

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postal service facility each day from many different individual and bulk mailers. In order to transport the mail pieces from the postal service facility to businesses and residences serviced by the facility, the mail pieces need to be sorted so that the mail pieces are routed to the correct mail carrier. The mail pieces also need to be sorted so that the mail carrier is able to deliver the mail pieces efficiently. In particular, the mail pieces need be placed in a sequence that allows the mail carrier to deliver the mail pieces in an order that minimizes the distance traveled and the time required to complete the deliveries. The sorting and sequencing may be affected by local factors such as changes of address, special delivery requirements (e.g., deliver to certain addresses only on certain days), changes in delivery routes, or the like. The claims of the present application define a method for generating a correct distribution sequence that is responsive to the local factors.

All the efforts by the Examiner to apply Cordery against the claims are based on the processes performed by the Cordery system in analyzing the addresses in a mailing list, selectively correcting the format of the addresses if allowed by the mailer, and generating the digital postage tokens to send to the mailer to print on the envelopes. As discussed above, the processes performed by the Cordery system are all performed before or when the mail pieces enter the postal system. The Cordery system does not teach or suggest any processes performed on mail pieces the local distribution centers where the delivery information for a mail piece may need to be revised in response to changing local factors that were not known when the mail piece was mailed.

Summary of response

Applicant has responded to the rejections in the December 12, 2006 Final Office Action by amending Claim 5 and by presenting arguments in support of the patentability of all claims. Applicant respectfully submits that Claims 1-7 presented herein for consideration are in condition for allowance, and Applicant respectfully requests the Examiner to allow Claims 1-7 and pass this application to the issue process.

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Request for telephone interview

The undersigned has made a good faith effort to respond to the objections and the rejections raised in the Office Action so as to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call the undersigned attorney of record at the telephone number listed below in order to resolve such issues promptly.

Date: 4/11/07


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